IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.S.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

FRIDAY, THE 25TH MAY 2007 / 4TH JYAISHTA 1929

WA.No. 2097 of 2006()

AGAINST THE JUDGEMENTIN WPC.32250/2003 Dated 26/07/2006
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APPELLANT: RESPONDENTS 4 TO 8
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1. A.K.SUDHAN,
ATTUMALI HOUSE, L.S.H.M.P., NAGAMPADAM,
KOTTAYAM.

2. K.K.VIJAYAN,
KAROTTILATHU HOUSE, AYARKUNNAM P.O.,
KOTTAYAM.

3. P.K.KARTHIKEYAN,
PARAPPEAL, THIRUVARPPU P.O., KOTTAYAM.

4. M.K.DAYALU,
MALIYIL HOUSE, VELLOOR P.O., KOTTAYAM.

5. M.C.SURENDRAN,
MENAYIPURATHU HOUSE, NEERIKODU P.O.,
KOTTAYAM.

BY ADV. SRI.TOMY SEBASTIAN
SRI.RAJESH PALAMATTAM
SRI.SAJEEVAN KURUKKUTTIYULLATHIL
SRI.A.ANISH BAL

RESPONDENTS: PETITIONERS & RES. 1 AND 3
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1. N.M.SUDHANAN, S/O. N.K.MADHAVAN,
NEDUMPARAMBIL HOUSE, NATTAKOM P.O.,
KOTTAYAM.

2. K.S.SHAJI, S/O. SANKARAN,
KUNNEL HOUSE, KEEZHUKUNNU, KOTTAYAM.

3. K.K.KUNPIMON,
OTTAPPURAKKAL, ALAPPUZHA, THAZHATHANGADY P.O.,
KOTTAYAM-5.

4. STATE OF KERALA, REPRESENTED BY THE
SECRETARY TO THE GOVERNMENT,
LOCAL ADMINISTRATIVE DEPARTMENT, SECRETARIAT,
THIRUVANANTHAPURAM.

5. KOTTAYAM MUNICIPALITY, REPRESENTED BY
ITS SECRETARY, KOTTAYAM.

6. THE MUNICIPAL COUNCIL,
KOTTAYAM, REPRESENTED BY THE CHAIRMAN,
KOTTAYAM MUNICIPALITY.

R4 BY GOVT. PLEADER SRI BENNY GERVASIZ
R5 BY ADV. SRI.SIBY MATHEW
SRI.V.K.SUNIL
SRI.AJEY THOMAS

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 25/05/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.S. RADHAKRISHNAN & ANTONY DOMINIC, JJ.

Writ Appeal No 2097 of 2006

Dated: 25th May 2007

JUDGMENT

Radhakrishnan, J.

This writ appeal is filed against the judgment in W.P.C.No 32250 of 2003. Annexure-A order dated 12.04.2007 was passed by the Municipality on a direction given by this court in W.P.C. No 32250 of 2003. No provision has been brought to our knowledge to show that the seniority has to be reckoned on the basis of age. In such circumstances, learned single judge is justified in directing preparation of a fresh seniority list. We therefore find no reason to interfere with the judgment of the learned single judge. All the same, if the appellants have got any further grievance on the basis of the order dated 12.04.2007 it is for them to represent the same before the Municipality about which we express no opinion. The

writ appeal lacks merits and is dismissed.

Sd/-

K.S. RADHAKRISHNAN
Judge

Sd/-
ANTONY DOMINIC
Judge

25/05/2007
en

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